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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/474,948	12/30/1999	BRIAN PARSONNET	25302	2982

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EXAMINER

JEANTY, ROMAIN

ART UNIT	PAPER NUMBER
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3623

DATE MAILED: 09/22/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/474,948

Applicant(s)

PARSONNET ET AL.

Examiner

Romain Jeanty

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 17 February 2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-55 is/are pending in the application.
- 4a) Of the above claim(s) 31-55 is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-30 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

DETAILED ACTION

1. In the prior Office Action, the examiner had indicated allowable subject matter. After a further review of the claims, the Examiner is therefore obliged to apply an art rejection for all the claims based on newly found prior art, and the newly found prior art is found below. The applicant's arguments are moot in view of the newly rejection. The examiner regrets the delayed prosecution of the application.

Claim Rejections - 35 USC § 103

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claims 1-2, 5-10, 11-12, 15-19-22, 25-29 are rejected under 35 U.S.C 103(a) as being unpatentable over Johnson et al (herein referred to "Johnson" U.S. Patent No. 6,067,525) in view of Buzsaki (U.S. Patent No. 5,987,422).

As per claim 1-2, 5-10 and 15-16, 19-22, Johnson discloses a method for facilitating a transaction between a plurality of buyers and sellers comprising:

a main controller capable of creating a first work flow record used to control a first work flow associated with a first service request and storing said first work flow record in a storage device associated with said main controller main controller or (i.e., creating an actual order) (See figure 17, element S204 and col. 5, lines 41-48), generating a status record of the purchase order information in a remote server associated

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with the central controller (i.e., the order status module for generating order status record)(col. 5, lines 52-65); the central controller transmitting messages between the sellers and buyers regarding the status record of the purchase order (col. 18, lines 11-16); wherein said main controller is further capable of receiving from a first customer and a first vendor associated with said first work flow at least one of messages, storing said at least one of messages, in said storage device, and transferring at least one of said at least one of messages, to at least one of said first customer and said first vendor (col. 29, lines 21-47);

an account controller associated with said main controller capable of identifying at least one fee associated with said first work flow and storing fee data associated with said at least one fee in said first work flow record (col. 14, lines 31-45).

Johnson does not explicitly disclose the following and Buzsaki discloses executing a workflow upon receiving a message (col. 5, lines 31-51; col. Col. 12 line 59 through col. 13 line 5. It would have been obvious to a person of ordinary skill in the art at the time of applicant's invention to modify the teachings of Johnson et al to include the teachings of Buzsaki. A person having ordinary skill in the art would have been motivated to use a modification so that an input from a role is solicited and processed in a smooth and efficient manner.

As per claim 2, Johnson does not explicitly disclose wherein said first work flow record comprises a plurality of work flow definitions defining at least one process step to be performed by at least one of said main controller, said accounting controller, a first customer processing device associated with said first customer, and a first vendor

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processing device associated with said first vendor. Buzsaki discloses a method for executing workflow comprising a workflow definition (See figure 3, element 307). It would have been obvious to a person of ordinary skill in the art at the time of applicant's invention to modify the teachings of Johnson to include the teachings of Buzsaki. A person having ordinary skill in the art would have been motivated to use a modification so that an input from a role is solicited and processed in a smooth and efficient manner.

As to claims 5 and 6, the combination of Johnson and Buzsaki fails to explicitly disclose the step "a primary work flow record" associated with a service request and a secondary workflow record associate with a second request. However, since a workflow record is associated with the first service request, it would have been obvious to a person having ordinary skill in the art to modify the disclosures of Johnson and Buzsaki al's system to incorporate a secondary workflow record with the motivation track the workflow associated with the processing of the service requests.

As to claims 7 and 8, the combination of Johnson and Buszaki et al discloses charging billing rates to a customer for a to service request (see claim 1 above) but the combination of Johnson and Buszaki et al does not explicitly disclose identifying at least one additional fee associated with a said second work flow and storing second fee associated with said at least one additional fee in said first work flow record. However, these features are equivalent having more steps or additional labor time to perform a service request for a customer. Including these features into Johnson and Buszaki et al would have been obvious to a person of ordinary skill in the art for charging the customer an additional fee for the incurred labor.

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As per claim 12, Johnson does not explicitly disclose wherein said first work flow record comprises a plurality of work flow definitions defining at least one process step to be performed by at least one of said main controller, said accounting controller, a first customer processing device associated with said first customer, and a first vendor processing device associated with said first vendor. Buzsaki discloses a method for executing workflow comprising a workflow definition (See figure 3, element 307). It would have been obvious to a person of ordinary skill in the art at the time of applicant's invention to modify the teachings of Johnson to include the teachings of Buzsaki. A person having ordinary skill in the art would have been motivated to use a modification so that an input from a role is solicited and processed in a smooth and efficient manner.

As to claims 15 and 16, the combination of Johnson and Buzsaki fails to explicitly disclose the step "a primary work flow record" associated with a service request and a secondary workflow record associate with a second request. However, since a workflow record is associated with the first service request, it would have been obvious to a person having ordinary skill in the art to modify the disclosures of Johnson and Buzsaki al's system to incorporate a secondary workflow record with the motivation track the workflow associated with the processing of the service requests.

As to claims 17 and 18, the combination of Johnson and Buszaki et al discloses charging billing rates to a customer for a to service request (see claim 1 above) but the combination of Johnson and Buszaki et al does not explicitly disclose identifying at least one additional fee associated with a said second work flow and storing second fee associated with said at least one additional fee in said first work flow record. However, these features are equivalent having more steps or additional labor time to perform a

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service request for a customer. Including these features into Johnson and Buszaki et al would have been obvious to a person of ordinary skill in the art for charging the customer an additional fee for the incurred labor.

As to claims 25 and 26, the combination of Johnson and Buzsaki fails to explicitly disclose the step "a primary work flow record" associated with a service request and a secondary workflow record associate with a second request. However, since a workflow record is associated with the first service request, it would have been obvious to a person having ordinary skill in the art to modify the disclosures of Johnson and Buzsaki al's system to incorporate a secondary workflow record with the motivation track the workflow associated with the processing of the service requests.

As to claims 27 and 28, the combination of Johnson and Buszaki et al discloses charging billing rates to a customer for a to service request (see claim 1 above), but the combination of Johnson and Buszaki et al does not explicitly disclose identifying at least one additional fee associated with a said second work flow and storing second fee associated with said at least one additional fee in said first work flow record. However, these features are equivalent having more steps or additional labor time to perform a service request for a customer. Including these features into Johnson and Buszaki et al would have been obvious to a person of ordinary skill in the art for charging the customer an additional fee for the incurred labor.

5. Claims 3, 4, 13-14 and 23-24 are rejected under 35 U.S.C 103(a) as being unpatentable over Johnson (U.S. Patent No. 6,067,525) in view of Buzsaki (U.S. Patent No. 5,987,422) in view of Buzsaki (U. S. Patent No. 5,987,422) as applied to claims 1, 11 and 21 above and further in view of Flores (U.S. Patent No. 6,073,109).

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As per claims 3-4, 13-14 and 23-24, the combination of Johnson and Buzsaki et al does not explicitly disclose which party modifies the work orders or the work plan. However, a customer or vendor could modify work orders based on the price it will cost to repair a customer's equipment or the time it will take to fix or repair the equipment. Usually customers and vendor negotiate on prices. Therefore, allowing a customer or vendor to modify the work flow definitions would have been obvious to a person of ordinary skill in the art in order to have a dynamic or a flexible system.

Furthermore, Flores et al discloses computerized method and system for managing business processes using linked workflow which modifies workflow definitions (col. 26, lines 62 through col. 27 line 55). It would have been obvious to a person of ordinary skill in the art at the time of the applicant's invention to modify the teachings of Johnson and Buzsaki to include a workflow definitions modification as evidenced by Flores et al. A person having ordinary skill in the art would have been motivated to use a modification because it would enable an application builder to create modify and delete definition documents in a database.

Conclusion

6. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

- a. Tsuiki et al (U.S. Patent No. 6,502,087) disclose a work flow management system for controlling work flow of documents.

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Any inquiry concerning this communication or earlier communications from the examiner should be directed Romain Jeanty whose telephone number is (703) 308-9585.

The examiner can normally be reached Monday-Thursday from 7:30 am to 6:00 pm.

If attempts to reach the examiner are not successful, the examiner's supervisor, Tariq R Hafiz can be reached at (703) 305-9643.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the group receptionist whose telephone number is (703) 308-1113.

Any response to this action should be mailed to:

Commissioner of Patents and Trademarks

Washington, D.C 20231 or faxed to: (703) 305-7687

Hand delivered responses should be brought to Crystal Park 5, 2451

Crystal Drive, Arlington VA, and seventh floor receptionist.



Romain Jeanty

Primary Examiner

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September 14, 2004